

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ESMELING L. BAHENA,

Plaintiff,

v.

MENDOZA,

Defendant.

Case No. 1:22-cv-01585-BAM (PC)

**ORDER GRANTING JOINT STIPULATION  
TO AMEND THE DISCOVERY AND  
SCHEDULING ORDER**

(ECF No. 86)

**Discovery Deadline: August 12, 2025  
Dispositive Motion Deadline: September 9,  
2025**

Plaintiff Esmeling L. Bahena (“Plaintiff”) is a state prisoner proceeding through counsel and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff’s second amended complaint against Defendant Mendoza (“Defendant”) for excessive force and deliberate indifference to medical care in violation of the Eighth Amendment. All parties have consented to Magistrate Judge jurisdiction. (ECF No. 40.)

Pursuant to the parties’ informal discovery dispute conference and the Court’s order of April 10, 2025, the deadline for completion of discovery was extended until June 13, 2025 for the limited purpose of conducting the depositions of Defendant Mendoza and non-party witness Arellano, and the deadline for filing all dispositive motions (other than a motion for summary judgment for failure to exhaust) was extended to July 11, 2025. (ECF No. 85.)

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1 Currently before the Court is the parties' June 13, 2025 joint stipulation to amend the  
2 discovery and scheduling order to extend the current limited discovery and dispositive motion  
3 deadlines by sixty days each. (ECF No. 86.) The parties stipulate to extending these deadlines in  
4 light of the California Department of Corrections and Rehabilitation's and non-party witness  
5 Arellano's delay in confirming representation at a deposition by defense counsel, as well as the  
6 parties' schedules. (*Id.*)

7 The Court finds good cause to grant the joint request to amend the discovery and  
8 scheduling order. Fed. R. Civ. P. 16(b)(4).

9 Accordingly, IT IS HEREBY ORDERED as follows:

- 10 1. The joint stipulation to amend the discovery and scheduling order, (ECF No. 86), is  
11 GRANTED;
- 12 2. The deadline for completion of discovery is extended from June 13, 2025 until **August 12,**  
13 **2025**, for the limited purpose of conducting the depositions of Defendant Mendoza and  
14 non-party witness Arellano;
- 15 3. The deadline for filing all dispositive motions (other than a motion for summary judgment  
16 for failure to exhaust) is extended from July 11, 2025 to **September 9, 2025**;
- 17 4. All other requirements and deadlines set forth in the Court's November 20, 2023  
18 discovery and scheduling order, (ECF No. 50), remain in place; and
- 19 5. **A request for an extension of a deadline set in this order must be filed on or before**  
20 **the expiration of the deadline in question and will only be granted on a showing of**  
21 **good cause.**

22  
23 IT IS SO ORDERED.

24 Dated: June 17, 2025

25 /s/ Barbara A. McAuliffe  
26 UNITED STATES MAGISTRATE JUDGE  
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